

**ENTERED**

December 01, 2015

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. 2:11-CR-786-1
	§	
KARLA ISABEL LOPEZ-ALANIZ; aka	§	
LOPEZ-ALANIZ	§	

**ORDER DENYING MOTION TO REDUCE SENTENCE § 3582(c)(2)**

Karla Isabel Lopez-Alaniz filed a motion to reduce sentence pursuant to 18 U.S.C. § 3582(c) and Amendment 782 to the sentencing guidelines. D.E. 44. Because Amendment 782 does not provide relief, the motion is denied.

Lopez-Alaniz was sentenced to 70 months in the Bureau of Prisons in 2011 based upon her guilty plea to conspiracy to possess with intent to distribute 4.92 kilograms of methamphetamine.<sup>1</sup> D.E. 38. She was held accountable for 4.92 kilograms of actual methamphetamine which resulted in a base offense level of 38. After Amendment 782, the Drug Quantity Tables were revised and the new tables were made retroactive on November 1, 2014. The new Drug Quantity Tables still assign a level 38 to 4.5 kilograms or more of actual methamphetamine. As a result, there is no reduction in her sentencing guideline range.

“A defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission” may apply for a reduction in his sentence if the amendment applies retroactively. 18 U.S.C. §3582(c)(2); *see also Freeman v. United States*, 131 S.Ct. 2685, 2690-91 (2011) (reciting standard for sentence

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<sup>1</sup> Lopez-Alaniz’ guideline sentencing range as calculated in her Presentence Investigation Report was 168 to 210 months imprisonment with a statutory minimum sentence of ten years. At sentencing the Court determined that she qualified for safety valve adjustment and minor role that reduced her sentencing guideline range to 70 to 87 months. D.E. 39.

modifications); *Dillon v. United States*, 560 U.S. 817, 824-25 (2010). Importantly, however, Amendment 782 does not benefit Lopez-Alaniz. The drug table, and therefore her sentencing range, is unchanged for the quantity of methamphetamine at issue. She is not eligible for a sentence reduction.

### CONCLUSION

The Court DENIES Lopez-Alaniz' motion (D.E. 44) for sentence reduction.

SIGNED and ORDERED this 1st day of December, 2015.

  
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Janis Graham Jack  
Senior United States District Judge